

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TEXAS
WACO DIVISION**

IN RE: **Donald Randall Barker**
Michelle Alexandra Barker
Debtor(s)

Case No. **10-61022**
Chapter 13 Proceeding

☐ **AMENDED** ☐ **MODIFIED**
DEBTOR(S)' CHAPTER 13 PLAN
AND MOTIONS FOR VALUATION AND LIEN AVOIDANCE

Creditors are hereby notified that the following Plan may be amended at any time before confirmation. Any amendment may affect your status as a creditor. The Debtor's estimate of how much the Plan will pay, projected payments, and estimates of the allowed claims may also change. The following information advises creditors of the status of the case based on the information known at the time of its preparation. Any special concerns of a creditor may justify attendance at the Meeting of Creditors and such other action as may be appropriate under the circumstances. More detailed information is on file at the Office of the United States Bankruptcy Clerk in El Paso or Waco, Texas. Local Bankruptcy Rules and Standing Orders on procedures are available at the Clerk's Office and online at www.txwb.uscourts.gov.

Use of the singular word "Debtor" in this Plan includes the plural where appropriate.

Plan Summary

- A. The Debtor's Plan Payment will be Variable Payments, paid by ☒ Pay Order or ☐ Direct Pay for 60 months. The gross amount to be paid into the plan is \$47,400.00.
- B. The Plan proposes to pay all allowed priority claims in full, all secured claims to the extent of the value of the collateral or the amount of the claim, whichever amount is provided for in Section VI below, and approximately 6% of each unsecured allowed claim.
- THIS PLAN DOES NOT ALLOW CLAIMS. YOU MUST FILE A PROOF OF CLAIM BY THE APPLICABLE DEADLINE TO RECEIVE DISTRIBUTIONS UNDER ANY PLAN THAT MAY BE CONFIRMED. CREDITORS ARE REFERRED TO THE FEDERAL RULES OF BANKRUPTCY PROCEDURE, THE LOCAL BANKRUPTCY RULES FOR THE WESTERN DISTRICT OF TEXAS, AND THE APPLICABLE STANDING ORDER RELATING TO CHAPTER 13 CASE ADMINISTRATION FOR THIS DIVISION, FOR INFORMATION ON THESE AND OTHER DEADLINES.
- C. The value of the Debtor's non-exempt assets is \$0.00.
- D. If the payment of any debt is proposed to be paid directly by the Debtor outside the Plan, it is so noted in Section VI(1), set forth below.

Plan Provisions

I. Vesting of Estate Property

- ☐ Upon confirmation of the Plan, all property of the estate shall vest in the Debtor and shall not remain as property of the estate.
- ☒ Upon confirmation of the Plan, all property of the estate shall not vest in the Debtor, but shall remain as property of the estate.
- ☐ Other (describe):

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TEXAS
WACO DIVISION**

IN RE: **Donald Randall Barker**
Michelle Alexandra Barker
Debtor(s)

Case No. **10-61022**
Chapter 13 Proceeding

☐ **AMENDED** ☐ **MODIFIED**
DEBTOR(S)' CHAPTER 13 PLAN
AND MOTIONS FOR VALUATION AND LIEN AVOIDANCE

Continuation Sheet # 1

II. Pre-Confirmation Disbursements

In accordance with the applicable Standing Order Relating to Chapter 13 Case Administration, the Debtor requests and consents to disbursement by the Chapter 13 Trustee of payments prior to confirmation of the Plan to evidence the Debtor's good faith, promote successful completion of the case, and to provide adequate protection to secured creditors. The Debtor shall remit such payments to the Trustee commencing 15 days after the filing of the petition. Provided all conditions for disbursement are met and unless otherwise ordered by the Court, the Trustee shall begin disbursing to creditors as provided below, on the first regularly scheduled disbursement after 30 days after the the petition is filed. Payments under this paragraph will cease upon confirmation of the Plan.

Creditor/Collateral	Pre-Confirmation Payment Amount	Other Treatment Remarks
Citizens Auto Financial 2007 Nissan Versa	\$100.00	
Harley Davidson Credit 2007 Heritage Softail Classic	\$100.00	
USAA Federal Savings Bank 2004 Chevrolet Colorado	\$50.00	

III. Executory Contracts/Unexpired Leases/Contracts for Deed

Pursuant to 11 U.S.C. §1322(b)(7) of the Bankruptcy Code, the Debtor hereby elects to assume the following executory contracts, unexpired leases, and/or contracts for deed, if any:

Creditor Name	Description of Contract	Election	In Default
Centex Property Management	rental	Assumed	No
Sprint	cell phone acct#786917819	Assumed	No

Pursuant to 11 U.S.C. §1322(b)(7) of the Bankruptcy Code, the Debtor hereby elects to reject the following executory contracts, unexpired leases, and/or contracts for deed, if any:

Creditor Name	Description of Contract	Election	In Default
(None)			

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TEXAS
WACO DIVISION**

IN RE: **Donald Randall Barker**
Michelle Alexandra Barker
Debtor(s)

Case No. **10-61022**
Chapter 13 Proceeding

☐ **AMENDED** ☐ **MODIFIED**
DEBTOR(S)' CHAPTER 13 PLAN
AND MOTIONS FOR VALUATION AND LIEN AVOIDANCE

Continuation Sheet # 2

IV. Motion to Value Collateral Pursuant to 11 U.S.C. § 506

The Trustee shall pay allowed secured claims, which require the filing of a proof of claim, to the extent of the value of the collateral or the amount of the claim, whichever amount is provided for in Section VI(2), hereof, plus interest thereon at the rate specified in this Plan. Except for secured claims for which provision is made to pay the full amount of the claim notwithstanding the value of the collateral, the portion of any allowed claim that exceeds the value of the collateral shall be treated as an unsecured claim under Section VI(2)(F).

The Debtor(s) move(s) to value the collateral described below in the amounts indicated. The values as stated below represent the replacement values of the assets held for collateral, as required under Section 506(a)(2). Objections to valuation of collateral proposed by this Motion and Plan must be filed no later than ten (10) days prior to the confirmation hearing date. If no timely response or objection is filed, the relief requested may be granted in conjunction with confirmation of the Plan.

Creditor / Collateral	Estimated Claim	Value of Collateral	Monthly Payment or Method of Disbursement	Interest Rate	Anticipated Total to Pay	Other Treatment/Remarks
Citizens Auto Financial 2007 Nissan Versa	\$12,099.00	\$10,400.00	Pro-Rata	4.25%	\$13,466.18	Pay claim amount
Harley Davidson Credit 2007 Heritage Softail Classic	\$16,037.00	\$14,495.00	Pro-Rata	4.25%	\$17,849.15	Pay claim amount

*"I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on
September 22, 2010 ."*

/s/ Donald Randall Barker
Debtor

/s/ Michelle Alexandra Barker
Joint Debtor

V. Motion to Avoid Lien Pursuant to 11 U.S.C. § 522(f)

The Bankruptcy Code allows certain liens to be avoided. If a lien is avoided, the claim will not be treated as a secured claim but as an unsecured claim under Section VI(2)(F).

The Debtor moves to avoid the following liens that impair exemptions. Objections to lien avoidance as proposed in this Plan must be filed no later than ten (10) days prior to the confirmation hearing date. If no timely objection is filed, the relief requested may be granted in conjunction with confirmation of the Plan. (Debtor must list the specific exempt property that the lien impairs and the basis of the lien--e.g., judicial lien, nonpurchase-money security interest, etc.)

Creditor / Property subject to lien	Amount of Lien to be Avoided	Remarks
--	---	----------------

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TEXAS
WACO DIVISION**

IN RE: **Donald Randall Barker**
Michelle Alexandra Barker
Debtor(s)

Case No. **10-61022**

Chapter 13 Proceeding

☐ **AMENDED** ☐ **MODIFIED**
DEBTOR(S)' CHAPTER 13 PLAN
AND MOTIONS FOR VALUATION AND LIEN AVOIDANCE

Continuation Sheet # 3

VI. Specific Treatment for Payment of Allowed Claims

1. PAYMENTS TO BE MADE BY THE DEBTOR DIRECTLY TO CREDITORS, INCLUDING POST-PETITION DOMESTIC SUPPORT OBLIGATIONS

A. Debtor(s) shall pay the following creditors directly. Creditors with claims based on a post-petition domestic support obligation ("DSO"), including all governmental units to which a DSO claim has been assigned, or is owed, or that may otherwise recover a DSO claim, **MUST** be paid directly. Minors should be identified by their initials only. If no DSO creditor is listed, the Debtor represents he/she has no domestic support obligation.

All direct payments listed below shall be made in addition to the Plan payments made by Debtor to the Chapter 13 Trustee as herein set forth. Secured creditors who are paid directly shall retain their liens, and the Debtor(s) shall maintain insurance on the collateral, in accordance with the terms of the documents creating the lien on the collateral.

Creditor / Collateral, if any (including the name of each DSO creditor)	Remarks	Debt Amount	Payment Amount/Interval
Christine Barker		\$0.00	\$900.00
Direct Loan Service Corp		\$8,700.00	
Direct Loan Service Corp		\$3,239.00	
J.P. Morgan Retirement Plan Retirement Account		\$776.00	
Key Bank 5007 Donegal Bay Court, Killeen, Bell County, TX	Paid direct by third party.	\$38,965.00	
Roomstore Furniture Sofa, Couch & Love Seat	Paid Directly by Third Party	\$1,927.49	
USAA Federal Savings Bank 1953 Plymouth Cambridge	Paid Directly by Third Party	\$3,522.00	
VW Credit 2007 Chevrolet Tahoe	Paid Directly by Third Party	\$21,948.00	
Wells Fargo Home Mortgage 2405 Upland Bend Drive, Temple, Bell County, TX	Paid Directly by Third Party	\$93,681.00	
Wells Fargo Home Mortgage 5007 Donegal Bay Court, Killeen, Bell County, TX	Paid Directly by Third Party	\$120,670.00	\$1,276.00

B. Debtor surrenders the following collateral. Confirmation of the Plan shall operate to lift the automatic stay provided by 11 U.S.C. § 362(a) with respect to the collateral listed, and any unsecured deficiency claim may be filed in accordance with the procedures set forth in the Standing Order Relating to Chapter 13 Case Administration for this Division.

Creditor/Collateral	Collateral to Be Surrendered
Harley Davidson Credit	2005 Harley Davidson Sporster

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TEXAS
WACO DIVISION**

IN RE: **Donald Randall Barker**
Michelle Alexandra Barker
Debtor(s)

Case No. **10-61022**
Chapter 13 Proceeding

☐ **AMENDED** ☐ **MODIFIED**
DEBTOR(S)' CHAPTER 13 PLAN
AND MOTIONS FOR VALUATION AND LIEN AVOIDANCE

Continuation Sheet # 4

2. PAYMENTS TO BE MADE BY TRUSTEE TO CREDITORS

A. Administrative Expenses

Administrative Expenses shall include the Trustee's commission and debtor's attorney's fees. The Trustee shall receive up to 10% of all sums disbursed, except on any funds returned to the Debtor. No fees or expenses of counsel for the debtor(s) may be paid until the filing fee is paid in full, and any fees and expenses that are allowed in addition to the fees and expenses originally agreed to be paid, may be paid only after all prior allowed fees and expenses have been paid.

Creditor	Estimated Amount of Debt	Payment Method: before secured creditors, after secured creditors, or along with secured	Remarks
James O. Cure	\$2,700.00	Along With	

B. Priority Claims, Including Domestic Support Obligation Arrearage Claims

Creditor	Estimated Amount of Debt	Payment Method: before secured creditors, after secured creditors, or along with secured	Remarks
Internal Revenue Service	\$2,636.00	Along With	

C. Arrearage Claims

Creditor / Collateral	Estimated Claim	Estimated Value of Collateral	Monthly Payment or Method of Disbursement	Interest Rate	Anticipated Total to Pay	Other Treatment/Remarks
-----------------------	-----------------	-------------------------------	---	---------------	--------------------------	-------------------------

D. Cure Claims on Assumed Contracts, Leases, and Contracts for Deed

Creditor/Subject Property, if any	Estimated Amount of Cure Claim	Monthly Payment or Method of Disbursement	Remarks
-----------------------------------	--------------------------------	---	---------

E. Secured Creditors

Secured creditors shall retain their liens on the collateral that is security for their claims until the earlier of the date the underlying debt, as determined under non-bankruptcy law, has been paid in full, or the date of discharge under 11 U.S.C. § 1328. Therefore, if the debtor's case is dismissed or converted without completing of all Plan payments, the liens shall be retained by the creditors to the extent recognized by applicable non-bankruptcy law.

Creditor/Collateral	Estimated Claim	Value of Collateral	Monthly Payment or Method of Disbursement	Interest Rate	Anticipated Total to Pay	Other Treatment/Remarks (specifically note if claim amount to be paid although greater than value of collateral)
Citizens Auto Financial 2007 Nissan Versa	\$12,099.00	\$10,400.00	Pro-Rata	4.25%	\$13,466.18	Pay claim amount
Harley Davidson Credit 2007 Heritage Softail Classic	\$16,037.00	\$14,495.00	Pro-Rata	4.25%	\$17,849.15	Pay claim amount
USAA Federal Savings Bank 2004 Chevrolet Colorado	\$2,707.99	\$11,425.00	Pro-Rata	4.25%	\$3,014.00	

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TEXAS
WACO DIVISION**

IN RE: **Donald Randall Barker**
Michelle Alexandra Barker
Debtor(s)

Case No. **10-61022**
Chapter 13 Proceeding

☐ **AMENDED** ☐ **MODIFIED**
DEBTOR(S)' CHAPTER 13 PLAN
AND MOTIONS FOR VALUATION AND LIEN AVOIDANCE

Continuation Sheet # 5

F. General Unsecured Creditors (including claims from rejection of contracts, leases and contracts for deed).
Describe treatment for the class of general unsecured creditors.

General Unsecured Creditors will receive approximately 6% of their allowed claims.

Totals:

Administrative Claims	<u>\$2,700.00</u>
Priority Claims	<u>\$2,636.00</u>
Arrearage Claims	<u>\$0.00</u>
Cure Claims	<u>\$0.00</u>
Secured Claims	<u>\$30,843.99</u>
Unsecured Claims	<u>\$53,555.14</u>

VII. Supplemental Plan Provisions

The following are the Supplemental Plan Provisions:

Provision Regarding Payment of Attorneys Fees

The Trustee shall make distribution of the base attorney fees at the maximum amount permitted under the First Standing Order Relating to Chapter 13 Case Administration under BAPCA in the El Paso and Waco Divisions of November 8, 2005, Paragraph 6(B), as amended January 23, 2007, as further amended January 7, 2008.

ACCEPTANCE OF/REJECTION OF/OBJECTION TO THE PLAN

ACCEPTANCE OF/REJECTION OF/OBJECTION TO THE PLAN BY HOLDERS OF ALLOWED SECURED CLAIMS PROVIDED FOR BY THE PLAN

EACH HOLDER OF AN ALLOWED SECURED CLAIM PROVIDED FOR BY THE PLAN SHALL BE DEEMED TO HAVE ACCEPTED THE PLAN UNLESS SUCH HOLDER FILES A WRITTEN REJECTION OF THE PLAN NO LATER THAN 10 DAYS PRIOR TO THE CONFIRMATION HEARING DATE. IF THE HOLDER OF AN ALLOWED SECURED CLAIM FILES AN OBJECTION TO CONFIRMATION OF THE PLAN AND DOES NOT OTHERWISE REJECT THE PLAN, SAID HOLDER SHALL BE DEEMED TO HAVE ACCEPTED THE PLAN IN ALL RESPECTS EXCEPT THOSE SPECIFICALLY RAISED IN THE OBJECTION TO CONFIRMATION. ALL WRITTEN NOTICES OF REJECTION OF THE PLAN SHALL BE FILED AND SERVED IN THE SAME MANNER AS OBJECTIONS TO CONFIRMATION.

Creditor's Direct Communication with Debtors

Creditors whose claims are scheduled to be paid directly by the Debtor(s), including creditors with claims secured by real property or vehicles, are authorized to send monthly statements to the debtor(s). They are also authorized to communicate directly with the Debtor(s) in response to Debtor(s) questions about monthly payments, escrow accounts, account balances, increases in monthly payments and other routine customer service inquiries.

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TEXAS
WACO DIVISION**

IN RE: **Donald Randall Barker**
Michelle Alexandra Barker
Debtor(s)

Case No. **10-61022**
Chapter 13 Proceeding

☐ **AMENDED** ☐ **MODIFIED**
DEBTOR(S)' CHAPTER 13 PLAN
AND MOTIONS FOR VALUATION AND LIEN AVOIDANCE

Continuation Sheet # 6

Affirmation of Value on 2007 Nissan Versa

By their signatures below, Debtors do hereby affirm as follows: that the Debtors are over the age of 18 and are qualified to make this statement; that the Debtors have an account with Citizens Auto Financial which was opened in February, 2007 for the purchase of a 2007 Nissan Versa, that the approximate purchase price of the vehicle was \$10,400.00; that the Debtors have possession of the vehicle and that it is in good condition and that the Debtors believe the value of the vehicle is \$10,400.00, which is the value assigned to the vehicle pursuant to www.nadaguides.com as of August 31, 2010.

Affirmation of Value on 2007 Heritage Softail Classic

By their signatures below, Debtors do hereby affirm as follows: that the Debtors are over the age of 18 and are qualified to make this statement; that the Debtors have an account with Harley Davidson Credit which was opened in November, 2006 for the purchase of a 2007 Heritage Softail Classic, that the approximate purchase price of the vehicle was \$24,953.00; that the Debtors have possession of the vehicle and that it is in good condition and that the Debtors believe the value of the vehicle is \$14,495.00, which is the value assigned to the vehicle pursuant to www.nadaguides.com as of August 31, 2010.

Respectfully submitted this date: **09/22/2010**.

/s/ James O. Cure

James O. Cure
2584 Blue Meadow Drive
Temple, TX 76502
Phone: (254) 690-8839 / Fax: (254) 690-1237
(Attorney for Debtor)

/s/ Donald Randall Barker

Donald Randall Barker
5537 E Lakeshore Drive
Belton, TX 76513
(Debtor)

/s/ Michelle Alexandra Barker

Michelle Alexandra Barker
5537 E. Lakeshore Drive
Belton, TX 76513
(Joint Debtor)

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TEXAS
WACO DIVISION**

IN RE: **Donald Randall Barker**
Michelle Alexandra Barker
Debtor(s)

CASE NO **10-61022**

CHAPTER **13**

EXHIBIT "B" - VARIABLE PLAN PAYMENTS

PROPOSED PLAN OF REPAYMENT (VARIABLE PAYMENTS INTO THE PLAN)

<u>Month / Due Date</u>	<u>Payment</u>	<u>Month / Due Date</u>	<u>Payment</u>	<u>Month / Due Date</u>	<u>Payment</u>
1 09/17/2010	\$200.00	21 05/17/2012	\$800.00	41 01/17/2014	\$800.00
2 10/17/2010	\$800.00	22 06/17/2012	\$800.00	42 02/17/2014	\$800.00
3 11/17/2010	\$800.00	23 07/17/2012	\$800.00	43 03/17/2014	\$800.00
4 12/17/2010	\$800.00	24 08/17/2012	\$800.00	44 04/17/2014	\$800.00
5 01/17/2011	\$800.00	25 09/17/2012	\$800.00	45 05/17/2014	\$800.00
6 02/17/2011	\$800.00	26 10/17/2012	\$800.00	46 06/17/2014	\$800.00
7 03/17/2011	\$800.00	27 11/17/2012	\$800.00	47 07/17/2014	\$800.00
8 04/17/2011	\$800.00	28 12/17/2012	\$800.00	48 08/17/2014	\$800.00
9 05/17/2011	\$800.00	29 01/17/2013	\$800.00	49 09/17/2014	\$800.00
10 06/17/2011	\$800.00	30 02/17/2013	\$800.00	50 10/17/2014	\$800.00
11 07/17/2011	\$800.00	31 03/17/2013	\$800.00	51 11/17/2014	\$800.00
12 08/17/2011	\$800.00	32 04/17/2013	\$800.00	52 12/17/2014	\$800.00
13 09/17/2011	\$800.00	33 05/17/2013	\$800.00	53 01/17/2015	\$800.00
14 10/17/2011	\$800.00	34 06/17/2013	\$800.00	54 02/17/2015	\$800.00
15 11/17/2011	\$800.00	35 07/17/2013	\$800.00	55 03/17/2015	\$800.00
16 12/17/2011	\$800.00	36 08/17/2013	\$800.00	56 04/17/2015	\$800.00
17 01/17/2012	\$800.00	37 09/17/2013	\$800.00	57 05/17/2015	\$800.00
18 02/17/2012	\$800.00	38 10/17/2013	\$800.00	58 06/17/2015	\$800.00
19 03/17/2012	\$800.00	39 11/17/2013	\$800.00	59 07/17/2015	\$800.00
20 04/17/2012	\$800.00	40 12/17/2013	\$800.00	60 08/17/2015	\$800.00

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TEXAS
WACO DIVISION**

IN RE: **Donald Randall Barker**
Debtor

CASE NO. **10-61022**

Michelle Alexandra Barker
Joint Debtor

CHAPTER **13**

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on September 23, 2010, a copy of the attached Chapter 13 Plan, with any attachments, and Budget and Monthly Family Income were served on each party in interest listed below, by placing each copy in an envelope properly addressed, postage fully prepaid in compliance with Local Rule 9013 (g).

/s/ James O. Cure

James O. Cure
Bar ID:05252800
James O. Cure
2584 Blue Meadow Drive
Temple, TX 76502
(254) 690-8839

Attorney General of the United States
Main Justice Bldg. Room 511
10th & Constitution Ave., N.W.
Washington, DC 20530

Christine Barker
2405 Upland Bend
Temple, TX 76502

Direct Loan Service Corp
xxxxxx2291
P.O. Box 5609
Greenville, TX 75403

Bank of America
xxxxxxxxxx8614
PO Box 851001
Dallas, TX 75285-1001

Citizens Auto Financial
xxxxxx2158
480 Jefferson Blvd
Warwick, RI 02886

Direct Loan Service Corp
xxxxxx2292
P.O. Box 5609
Greenville, TX 75403

Central Texas Pathology Lab
xxx4448
PO Box 21509
Waco, TX 76702 - 1509

Credit First/Firestone
x7353
PO Box 81315
Cleveland, OH 44181

Discover Card
xxxx-xxxx-xxxx-7371
P.O. Box 15316
Wilmington, DE 19850

Chase / Bank One Card Service
xxxx-xxxx-xxxx-0415
P.O. Box 15298
Wilmington, DE 19850

Dept. of Veterans Affairs
701 Clay Road
Waco, TX 76799

Donald Randall Barker
5537 E Lakeshore Drive
Belton, TX 76513

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TEXAS
WACO DIVISION**

IN RE: **Donald Randall Barker**
Debtor

CASE NO. **10-61022**

Michelle Alexandra Barker
Joint Debtor

CHAPTER **13**

CERTIFICATE OF SERVICE

(Continuation Sheet #1)

Financial Corporation of America
xxxxxxx-xxxx8826
P.O. Box 203600
Austin, TX 78720

Kohls
xxxx6949
PO Box 3084
Milwaukee, WI 53201 - 3084

Scott & White
xxxxxx1045
P. O. Box 847500
Dallas, TX 75284-7500

First Premier Bank
xxxx-xxxx-xxxx-3599
P.O. Box 5524
Sioux Falls, SD 57117-5524

Kohls
xxxxxxx7852
P.O. Box 3115
Milwaukee, WI 53201

United States Attorney
601 NW Loop 410, Suite 600
San Antonio, TX 78216

Harley Davidson Credit
xxxxxxxxxxx1704
P.O. Box 21829
Carson City, NV 89721.

Ray Hendren, Trustee
8310 Capital of Texas Highway North
Suite 475
Austin, TX 78731

USAA Credit Card Bank
xxxx-xxxx-xxxx-5737
P.O. Box 47504
San Antonio, TX 78265

Harley Davidson Credit
xxxxxxxxxxx7697
3850 Arrowhead Drive
Carson City, NV 89706

Reliant Energy
x xxx 945 - 7
P.O. Box 650475
Dallas, TX 75265

USAA Federal Savings Bank
xxxx2578
P.O. Box 33009
San Antonio, TX 78265

Internal Revenue Service
Special Procedures Branch
Stop 5022 AUS
300 E. 8th Street
Ausitn, TX 78701

Roomstore Furniture
xxxxxxxxxxx8272
P.O. Box 15524
Wilmington, DE 19850

USAA Federal Savings Bank
xxxx9544
P.O. Box 47504
San Antonio, TX 78265

J.P. Morgan Retirement Plan
xxxxx0229
P.O. Box 419784
Kansas City, MO 64141-6784

Scott & White
xxxxxx7496
P. O. Box 847500
Dallas, TX 75284-7500

USAA Federal Savings Bank
xxxx4167
P.O. Box 47504
San Antonio, TX 78265

Key Bank
xxxxxxxxx4981
4910 Tiedeman Road
Cleveland, OH 44144

Scott & White
xxx9495
P. O. Box 847500
Dallas, TX 75284-7500

USAA Mastercard
xxxxxxxxx0603
PO Box 33009
San Antonio, TX 78265

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TEXAS
WACO DIVISION**

IN RE: **Donald Randall Barker**
Debtor

CASE NO. **10-61022**

Michelle Alexandra Barker
Joint Debtor

CHAPTER **13**

CERTIFICATE OF SERVICE
(Continuation Sheet #2)

VW Credit
x4637
P.O. Box 3
Hillsboro, OR 97123

Waco Surgical Center
x7224
6600 Fishpond Road, Ste 101
Waco, TX 76710

Wells Fargo Home Mortgage
xxxxxx9915
8480 Statecoach Circle
Frederick, MD 21701

Wells Fargo Home Mortgage
xxxxxxxxx8843
3480 Stateview Blvd
Fort Mill, SC 29716

In re **Donald Randall Barker**
Michelle Alexandra BarkerCase No. **10-61022**
(if known)**SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)**

The column labeled "Spouse" must be completed in all cases filed by joint debtors and by every married debtor, whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. Do not state the name of any minor child. The average monthly income calculated on this form may differ from the current monthly income calculated on Form 22A, 22B, or 22C.

Debtor's Marital Status:	Dependents of Debtor and Spouse	
Married	Relationship(s): Son Age(s): 16 yrs Son 14 yrs Son 12 yrs Son 14 yrs	Relationship(s): Age(s):
Employment:	Debtor	Spouse
Occupation	Machinist - Pactiv	Station Agent
Name of Employer	DFAS - DGG- CL	American Eagle Airlines
How Long Employed	New Job	3 yrs
Address of Employer	Garnishment Operations P.O. Box 998002 Cleveland, OH 44199-8002	8101 South Clear Creek Killeen, TX 76549

INCOME: (Estimate of average or projected monthly income at time case filed)

	DEBTOR	SPOUSE
1. Monthly gross wages, salary, and commissions (Prorate if not paid monthly)	\$0.00	\$1,567.39
2. Estimate monthly overtime	\$0.00	\$0.00
3. SUBTOTAL	\$0.00	\$1,567.39
4. LESS PAYROLL DEDUCTIONS		
a. Payroll taxes (includes social security tax if b. is zero)	\$0.00	\$0.00
b. Social Security Tax	\$0.00	\$92.39
c. Medicare	\$0.00	\$21.20
d. Insurance	\$0.00	\$0.00
e. Union dues	\$0.00	\$0.00
f. Retirement / 401(k)	\$0.00	\$12.59
g. Other (Specify) / LTD	\$0.00	\$2.83
h. Other (Specify) / Accident Insurance	\$0.00	\$14.50
i. Other (Specify) / Spouse, Child & Employee Lif	\$0.00	\$4.85
j. Other (Specify) / Dental	\$0.00	\$32.76
k. Other (Specify) / Health Savings Account	\$0.00	\$166.66
5. SUBTOTAL OF PAYROLL DEDUCTIONS	\$0.00	\$347.78
6. TOTAL NET MONTHLY TAKE HOME PAY	\$0.00	\$1,219.61
7. Regular income from operation of business or profession or farm (Attach detailed stmt)	\$0.00	\$0.00
8. Income from real property	\$0.00	\$0.00
9. Interest and dividends	\$0.00	\$0.00
10. Alimony, maintenance or support payments payable to the debtor for the debtor's use or that of dependents listed above	\$0.00	\$1,113.00
11. Social security or government assistance (Specify):	\$0.00	\$0.00
12. Pension or retirement income	\$1,923.00	\$0.00
13. Other monthly income (Specify):		
a. Estimated Income from Employment	\$1,100.00	\$0.00
b.	\$0.00	\$0.00
c.	\$0.00	\$0.00
14. SUBTOTAL OF LINES 7 THROUGH 13	\$3,023.00	\$1,113.00
15. AVERAGE MONTHLY INCOME (Add amounts shown on lines 6 and 14)	\$3,023.00	\$2,332.61
16. COMBINED AVERAGE MONTHLY INCOME: (Combine column totals from line 15)	\$5,355.61	

(Report also on Summary of Schedules and, if applicable, on Statistical Summary of Certain Liabilities and Related Data)

17. Describe any increase or decrease in income reasonably anticipated to occur within the year following the filing of this document:

Mrs. Barker's ex-husband is trying to reduce court ordered child support of \$2,250.00 per month due to his loss of income. She believes it will be reduced to \$1,113.00 per month as of September, 2010.

IN RE: **Donald Randall Barker**
Michelle Alexandra BarkerCase No. **10-61022**
(if known)**SCHEDULE J - CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S)**

Complete this schedule by estimating the average or projected monthly expenses of the debtor and the debtor's family at time case filed. Prorate any payments made bi-weekly, quarterly, semi-annually, or annually to show monthly rate. The average monthly expenses calculated on this form may differ from the deductions from income allowed on Form 22A or 22C.

☐ Check this box if a joint petition is filed and debtor's spouse maintains a separate household. Complete a separate schedule of expenditures labeled "Spouse."

1. Rent or home mortgage payment (include lot rented for mobile home) a. Are real estate taxes included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No b. Is property insurance included? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	\$850.00
2. Utilities: a. Electricity and heating fuel b. Water and sewer c. Telephone d. Other:	\$275.00 \$86.00
3. Home maintenance (repairs and upkeep) 4. Food 5. Clothing 6. Laundry and dry cleaning 7. Medical and dental expenses 8. Transportation (not including car payments) 9. Recreation, clubs and entertainment, newspapers, magazines, etc. 10. Charitable contributions	\$57.61 \$700.00 \$150.00 \$55.00 \$75.00 \$300.00 \$150.00
11. Insurance (not deducted from wages or included in home mortgage payments) a. Homeowner's or renter's b. Life c. Health d. Auto e. Other:	\$55.00 \$348.00
12. Taxes (not deducted from wages or included in home mortgage payments) Specify:	
13. Installment payments: (In chapter 11, 12, and 13 cases, do not list payments to be included in the plan) a. Auto: b. Other: Student Loan c. Other: d. Other:	\$65.00
14. Alimony, maintenance, and support paid to others: Child Support 15. Payments for support of add'l dependents not living at your home: 16. Regular expenses from operation of business, profession, or farm (attach detailed statement) 17.a. Other: See attached personal expenses 17.b. Other:	\$900.00 \$489.00
18. AVERAGE MONTHLY EXPENSES (Total lines 1-17. Report also on Summary of Schedules and, if applicable, on the Statistical Summary of Certain Liabilities and Related Data.)	\$4,555.61
19. Describe any increase or decrease in expenditures reasonably anticipated to occur within the year following the filing of this document: None.	
20. STATEMENT OF MONTHLY NET INCOME a. Average monthly income from Line 15 of Schedule I b. Average monthly expenses from Line 18 above c. Monthly net income (a. minus b.)	
	\$5,355.61 \$4,555.61 \$800.00

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TEXAS
WACO DIVISION

IN RE: Donald Randall Barker
Michelle Alexandra Barker

CASE NO 10-61022

CHAPTER 13

EXHIBIT TO SCHEDULE J

Itemized Personal Expenses

Expense	Amount
Cell Phones	\$100.00
Internet	\$79.00
School Lunches	\$60.00
School Expenses	\$75.00
Pet Care	\$50.00
Haircuts & Grooming	\$75.00
Work Lunches and Activities	\$50.00
Total >	\$489.00